HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.22714 of 2007

Dated: 30.10.2007

Between:

Akulapally Babu

…Petitioner

AND

The Revenue Divisional Officer,
Warangal
And others.

… Respondent

Counsel for the petitioner : Sri J.Venkateshwar Reddy.

Counsel for the respondents: A.G.P. for Land Acquisition.

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.22714 of 2007

ORDER:-

This writ petition is filed for a writ of mandamus to declare the inaction of respondents in taking up the appeal filed by the petitioner and his family members under Sections 5 and 6 of the Andhra Pradesh Rights in Land and Pattadar Passbooks Act 1971 as illegal and arbitrary.

The petitioner claims to be the owner of land in survey No.269, 270, 272 and 276 admeasuring Ac.14.30 guntas in Dupakunta village, Geesugonda Mandal, Warangal District. The said land is under acquisition and according to the petitioner, the award enquiry is pending. There is a dispute between the petitioner and respondent No.2 over the entitlement of compensation in respect of the land under acquisition. The grievance of the petitioner is that against the order under which the name of Respondent No.3 was mutated in the revenue records, the petitioner filed an appeal before respondent No.1 under Section 5 and 6 of the Act on 8.10.2007 and that respondent No.1 also happens to be the Land Acquisition Officer entrusted with the power of passing an award. The petitioner apprehends that even before his appeal is disposed of, respondent No.1 may determine the compensation.

Since, an innocuous direction to respondent No.1 is being

issued, there is no need to issue notice to respondent No.3 before disposing of the writ petition.

In as much as the only grievance of the petitioner is that respondent No.1 is not disposing of the appeal and not being alive to the urgency of the situation to dispose of the said appeal, the writ petition is disposed of without going into the merits of the claim of the petitioner to the entitlement of compensation, with a direction that respondent No.1 shall dispose of the appeal said to have been filed by the petitioner before finally determining as to who is entitled for payment of compensation for the acquired lands.

The writ petition is accordingly disposed of.

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C.V.NAGARJUNA REDDY,J

Date:30.10.2007
mdaa